DT03 Rec'd PCT/PTO 0 5 JAN 2005

WERCE PATENT & TRADEMARK OFFICE US DEPARTMENT OF COM FORM PTO-1390 (REV. 01-2003) 122001 TRANSMITTAL LETTER TO THE UNITED STATES U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/518,343 DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED June 24, 2002 PCT/FR03/01946 June 25, 2003 TITLE OF INVENTION HYDRAULIC DEVICE FOR THE THERMO-PNEUMATIC INSULATION AND OPTIONAL AGITATION OF THE CONTENTS OF AN OPERATIVE CAVITY APPLICANTS FOR DO/EO/US Yves FOUILLET et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 2. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include 3. items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). 4. 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a.  $\square$  is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. c. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) 6. a.  $\square$  is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). c. The International Application was filed in English. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) 7. a.  $\square$  are attached hereto (required only if not communicated by the International Bureau). ☐ have been communicated by the International Bureau. ☐ have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. An oath or declaration of the inventors (35 U.S.C. 371(c)(4)).  $\boxtimes$ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 10. (35 U.S.C. 371(c)(5)). Items 11' to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 11. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 12. П 13. A preliminary amendment. П An Application Data Sheet under 37 CFR 1.76. 14.  $\Box$ 15. A substitute specification.  $\Box$ 16.  $\boxtimes$ A power of attorney and/or change of address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 17. A second copy of the published international application under 35 U.S.C. 154(d)(4). 18. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 19. Other items or information: Transmittal and Statement of Power of Attorney 20.

	U.S. APPLICATION NO. (if known, 10/518,343	APPLICATION NO. (if known, see 37 C.F.R. 1.5) INTERNATIONAL APPLICATION N 518,343 PCT/FR03/01946		TION NO.	122001	UMBER	
	21.   The following fees				CALCULATIONS	PTO USE ONLY	
	BASIC NATIONAL FEE (37		OALGGEATIONS	110 002 01121			
·	Neither international preliminary examination fee (37 CFR 1.482) nor						
	international search fee (37 CFR 1.445(a)(2)) paid to USPTO and						
	International Search Report not prepared by the EPO or JPO\$ 300.00						
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- 1	ENTER APPROPRIATE BASIC FEE AMOUNT =				\$		
ſ	Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the				\$130		
1	earliest claimed priority dat	e (37 CFR 1.492(e)).	T	· · · · · · · · · · · · · · · · · · ·			
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ľ	TOTAL CLAIMS	- 20	=	x 50.00 =	\$		
1	INDEPENDENT CLAIMS	- 3	=	x 200.00 =	\$		
ľ	MULTIPLE DEPENDENT			+ 360.00 =	\$		
1	TOTAL OF ABOVE CALCULATIONS =				\$130		
Ī	Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$		
ļ					\$130		
ļ	SUBTOTAL =  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		
l					<b>Ψ</b>		
ŀ	and durinost claimed priority	TOTAL NATIONAL FEE =			\$130		
ŀ	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + TOTAL FEES ENCLOSED =				\$		
İ					\$130		
					Amount to be		
					refunded:	\$	
					charged:	\$	
Ī	<ul> <li>a.  A check in the amount of \$130.00 to cover the above fees is enclosed.</li> <li>b.  Please charge my Deposit Account No in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</li> <li>c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.</li> <li>d.  Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</li> <li>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</li> </ul>						
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	Date January 5, 2005					SEE.	
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## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yves FOUILLET et al.

Application No.: 10/518,343

Filed: January 5, 2005

Docket No.:

122001

For:

HYDRAULIC DEVICE FOR THE THERMO-PNEUMATIC INSULATION AND OPTIONAL AGITATION OF THE CONTENTS OF AN OPERATIVE CAVITY

## TRANSMITTAL OF POWER OF ATTORNEY AND STATEMENT UNDER 37 CFR § 3.73(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with 37 CFR §3.73(b), the undersigned hereby states that BIO MERIEUX AND COMMISSARIAT A L'ENERGIE ATOMIQUE are together the assignees of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. A copy of the assignment is attached hereto.

The undersigned is authorized to act on behalf of the assignee.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NO. 25944, TELEPHONE (703) 836-6400.

Respectfully submitted,

Eric D. Morehouse Registration No. 38,565

WPB:EDM/cqc

Date: January 5, 2005